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REF:

December 29, 2020

WRITER'S DIRECT DIAL:

**VIA ECF**

Hon. Analisa Torres  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

Re: *Huwe Burton v. City of New York*, 20 Civ. 9025 (AT)(RWL)

Your Honor:

My firm represents Plaintiff Huwe Burton, who has brought this civil rights action seeking vindication and damages for the unlawful actions that caused him to be falsely accused of the murder of his own mother and wrongfully imprisoned for almost 20 years. His exoneration was the result of an extensive joint investigation by the Innocence Project and Bronx County District Attorney's Office Conviction Integrity Unit.

I write to advise the Court that Plaintiff and Defendant City of New York would like to attempt an early settlement of this matter and respectfully request that the case be referred to the assigned Magistrate Judge, the Honorable Robert W. Lehrburger for a settlement conference. Preparation for the proposed settlement conference will require the City to review thousands of pages of documents being produced by Plaintiff from both the original criminal case and the Innocence Project's and Bronx County District Attorney's Office's reinvestigation of that case. Plaintiff and the City of New York, therefore, propose holding the requested settlement conference on April 13, 2021, or a subsequent date convenient to the Court.

Should the Court grant the request for an early settlement conference, the City respectfully requests that the time to respond to Plaintiff's complaint be stayed until sixty (60) days after the completion of the settlement conference. Plaintiff consents to the City's request. Presently, only the City and Stacey Blocker have been served with the complaint and neither have responded. The City has agreed that the remaining Police Officer and District Attorney defendants, should they agree to be represented by the New York City Law Department, may be served at One Police Plaza. Plaintiff understands from the City that efforts to locate those

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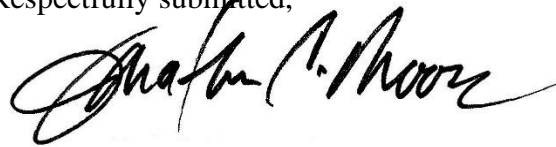
Defendants and determine if they wish to be represented by the Law Department – a task made difficult by the passage of time from when the events underlying Plaintiff's claim took place – are ongoing.

If the request for a settlement conference is granted, Plaintiff and Defendant City of New York further respectfully request that the pretrial telephonic conference currently scheduled for January 5, 2021, at 10:20 a.m. [Docket No. 8], be adjourned *sine die* until after the conference is completed.

Finally, Plaintiff and the City of New York advise the Court pursuant to its October 30, 2020 Order [Docket No. 6] that these parties do not consent to conducting all further proceedings before the assigned Magistrate Judge.

Plaintiff and the City of New York thank the Court for its attention to this matter.

Respectfully submitted,



GRANTED in part, DENIED in part. The Court will refer the parties to a settlement conference before the Honorable Robert W. Lehrburger. By **January 25, 2021**, Defendants shall answer or otherwise respond to the complaint.

In order to allow time for Defendants to appear and for the parties to submit their joint letter and proposed case management plan, the initial pretrial conference scheduled for January 5, 2021, is ADJOURNED to **January 14, 2021, at 10:00 a.m.** The conference will proceed in accordance with the Court's Emergency Rules and Practices in Light of COVID-19. Accordingly, at 10:00 a.m. on January 14, 2021, the parties shall call into the Court's dedicated conference line at (888) 398-2342 or (215) 861-0674, and then enter the access code 5598827, followed by the pound sign.

The parties shall submit their joint letter and proposed case management plan by **January 7, 2021**. ECF No. 8 ¶¶ 4–5.

SO ORDERED.

Dated: December 30, 2020

New York, New York



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ANALISA TORRES  
United States District Judge